

IN THE CLAIMS:

1. to 33. (Canceled)

34. (Currently Amended) A drug delivery device, consisting of:

a substantially hollow ~~container seed~~, said ~~container~~ hollow seed being sized and adapted for ~~insertion~~ implantation into a tissue or organ *in vivo* to within about 1 millimeter of a desired position within ~~the~~ a tissue or organ, said ~~container~~ hollow seed having an opening at each end thereof, said openings being sized and arranged to provide for the controlled diffusion of a therapeutic agent out of said ~~container~~ hollow seed, the therapeutic agent comprising (1) a nucleic acid sequence, protein, or polypeptide, and (2) a radionuclide.

35. (Currently Amended) The drug delivery device of claim 34, wherein the ~~container~~ hollow seed has a uniform cross-sectional area along a longitudinal axis.

36. (Currently Amended) The drug delivery device of claim 34, wherein said ~~container~~ hollow seed is formed of a metal.

37. (Previously Presented) The drug delivery device of claim 36, wherein the metal is titanium.

38. (Canceled)

39. (Previously Presented) The drug delivery device of claim 34, wherein said openings are round holes.

40. (Canceled)

41. (Currently Amended) The drug delivery device of claim 34, wherein said ~~container~~ hollow seed is substantially cylindrical in shape.

42. (Canceled)

43. (Currently Amended) The drug delivery device of claim 34, wherein said ~~container~~ hollow seed has a length in the range of 0.002 to 3 inches, a diameter in the range of 0.004 to 4 inches, and a wall thickness in the range of 0.0005 to 0.5 inches.

44. (Previously Presented) The drug delivery device of claim 43, wherein said openings are round holes having an average diameter in the range of 0.002 to 0.2 inches

45. to 70. (Canceled)

71. (New) The drug delivery device of claim 34, wherein the therapeutic agent comprises a viral vector